

IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISRICT OF
TENNESSEE AT GREENEVILLE

BOBBY DUNCAN and)
MELISSA DUNCAN,)
husband and wife,)
)
Plaintiffs,)
)
v.) Case No. 2:12-cv-182
)
SURGICAL ASSOCIATES OF KINGSPORT, INC.,)
ANDREW PHILLIP KRAMER,)
HOLSTON MEDICAL GROUP, P.C.,)
THOMAS VADAKEKARA THOMAS and,)
WELLMONT HEALTH SYSTEM, d/b/a)
WELLMONT HOLSTON VALLEY)
MEDICAL CENTER,)
)
Defendants .)

SECOND UPDATED STATUS REPORT REGARDING
ADR/MEDIATION

The Plaintiffs and Defendant Wellmont Health System, d/b/a Wellmont Holston Valley Medical Center (“Wellmont”), pursuant to Paragraph 7 of the Scheduling Order [Doc. 86], provide the following as their Second Updated Status Report Regarding ADR/Mediation:

1. The original Status Report Regarding ADR/Mediation was filed on February 18, 2014. [Doc. 135.]
2. Following the filing of the Status Report Regarding ADR/Mediation, an agreement was reached by all parties to utilize mediation.
3. On Friday, September 26, 2014, all parties participated in the mediation of this case.
4. At the conclusion of the mediation, all matters at issue between the Plaintiffs and Defendants Surgical Associates of Kingsport, Inc. (“SAK”), Andrew Phillip Kramer (“Dr.

Kramer”), Holston Medical Group, P.C. (“HMG”) and Thomas Vadakekara Thomas (“Dr. Thomas”) were resolved.

5. Despite good faith efforts by the Plaintiffs, and by Defendant Wellmont, the matters at issue between them were not resolved at mediation.

6. However, since the conclusion of the mediation, Plaintiffs and Wellmont have continued negotiating and have now resolved all remaining matters.

7. Counsel for the Plaintiffs, and counsel for Wellmont are in the process of fulfilling the initial terms of the settlement between their respective clients.

8. Upon the completion of such efforts, counsel for the Plaintiffs and counsel for Wellmont will submit a proposed Order to the Court, seeking dismissal of this case, with prejudice, as to Wellmont.

Respectfully submitted this 21st day of October, 2014.

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By: /s/ Russell W. Adkins
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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October, 2014, a copy of the Second Updated Status Report Regarding ADR/Mediation was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties, if any, will be served via regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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